

COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
JULY 12, 2005

Mayor Dirksen called the meeting to order at 6:30 p.m.

City Council Present: Mayor Dirksen and Councilors Harding, Sherwood, Wilson and Woodruff. Also present: Youth Advisory Council President Williams.

- EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 6:30 p.m. to consider employment of a public officer and to evaluate the employment-related performance of the chief executive officer under ORS 192.660(2)(a)(i).

Executive Session concluded at 6:45 p.m.

> ADMINISTRATIVE ITEMS

- City Council reviewed the procedure for the Quasi-Judicial Public Hearing of the Appeal of the Conditional Use Permit for the Tigard First Baptist Church Expansion. The applicant submitted a request for additional time; this request is on file in the City Recorder's office. The City Council will open the hearing and continue it to July 26, 2005.
- Additional information was submitted by Public Works Staff for the Public Hearing on Solid Waste Rates – Agenda Item No. 5. The information should be attached as Page 2 of Exhibit A to the proposed resolution.
- The proposed resolution for park and greenway land acquisition guidelines will be pulled from tonight's agenda (Agenda Item No. 6)
- Discussion on Strategic Planning Retreat – After discussion, the tentative date for the City Council Strategic Planning Retreat was set for September 30, 2005.
- Washington County Issue Papers – Washington County staff is scheduled to brief Council on August 16, 2005.
- Fifth Tuesday – The next meeting day is August 30, 2005. City Council asked that the meeting location be changed from the Library Community Room to the Water Auditorium.
- Council received comparison information on Garbage Franchise Fees – 60 Oregon Cities.

- Council Calendar:
 - July 19 Council Workshop Meeting – 6:30 p.m. – Town Hall
 - July 26 Council Business Meeting – 6:30 p.m. – Town Hall
 - August 9 Council Business Meeting – 6:30 p.m. – Town Hall
 - August 16 Council Workshop Meeting – 6:30 p.m. – Town Hall
 - August 23 Council Business Meeting – 6:30 p.m. – Town Hall
 - August 30 5th Tuesday Council Meeting – 7-9 p.m. – Water Auditorium

Study Session Recessed at 6:58 p.m.

- EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 7:09 p.m. to consider employment of a public officer under ORS 192.660(2)(a).

Executive Session concluded at 7:20 p.m.

1. BUSINESS MEETING

- 1.1 Mayor Dirksen called the meeting to order at 7:34 p.m.
- 1.2 Council Present: Mayor Dirksen; Councilors Harding, Sherwood, Wilson, and Woodruff. Also present: Youth Advisory Council President Williams.
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non-Agenda Items

Assistant to the City Manager Newton introduced new City of Tigard employee Bob Roth, Volunteer Specialist. Mr. Roth addressed the City Council referring to his hope to diversify and enhance the City's volunteer program.

2. CITIZEN COMMUNICATION

- Mayor Dirksen advised that Agenda Item No. 6 – *Consider a Resolution Setting Forth Land Acquisition Guidelines to be Considered by Council When Acquiring Parks and Greenway Properties* will not be considered tonight.
- Bob Storer, 7225 SW Ventura Drive, Tigard, OR 97223 said he was not supportive of where the process is going on the park and greenway acquisition guidelines. He referenced Oregon law with regard to SDC funds being used to purchase land outside the city limits. Mr. Storer said the law does not prohibit using these funds within city limits. He said he believed the guidelines were slanted toward development and would like to see a balance. He urged the City Council to get involved. He was concerned the matter was over-simplified and this could lead to some bad decisions. The proposed guidelines do not represent what was

indicated by the public survey. He recommended a more comprehensive review.

Councilor Woodruff said Mr. Storer's comments are reasonable. He acknowledged the work done to date by the Park and Recreation Board (PRAB). The PRAB will review this matter again on July 18, 2005.

Mr. Storer suggested the following categories be established to assist with discussion on priority setting:

1. Donated land
 2. Park and recreation facilities
 3. Greenway and natural resources
- John Frewing, 7110 SW Lola Lane, Tigard, OR 97223 commented on the process for developing guidelines to determine how to consider park and greenway acquisitions. He said the guidelines in the proposed resolution contain "terrible" definitions. He recommended that staff define categories. Other issues noted by Mr. Frewing included:
 - Questionable policy of allowing SDC credit to developers
 - Resolution appears to be directed toward developers for acquisition evaluation
 - Noted agreement with Mr. Storer regarding the review categories
 - Scope of the proposed resolution is not clear
 - Resolution is slanted toward developed parks
 - Criteria listed in the resolution is subjective

Mr. Frewing said PRAB needed to review this matter more.

Councilor Wilson advised that the matrix presented was to be used to help make informed decisions when opportunities come up for acquisition of property for parks or greenway.

Councilor Woodruff thanked the citizens and PRAB for their efforts. He noted this work is "new territory" and he appreciated the extra review by PRAB.

- Gretchen Buehner, 13249 SW 136th Place, Tigard, OR 97223, advised that park land and donations had been discussed during review of the Planned Developments. Park land is needed on Bull Mountain. She noted concerns about the influence of special interest and referenced the pressure being placed on the PRAB. She also noted open space needs for the southern and western areas of Tigard.

Councilor Woodruff noted this process has been an open one with regard to participation; however, not everyone will get what they want.

- Interim City Manager Prosser presented a follow-up report to the June 23, 2005 citizen communications:
 - Alice Ellis Gaut noted concerns with a proposed parking lot adjacent to the shelter located near the library. City Council decided not to go forward with the parking lot.
 - Pavel Goberman noted concerns about the size of sign used by Raz Transportation at Pacific Highway. Staff looked into this matter and the sign is smaller than what the Sign Code allows; therefore, Raz could apply for a larger sign if desired.
 - Michael A. Smith had explained his issues regarding the City's requirements relating to property he was marketing for clients at 11990 SW 72nd Avenue. Staff has been working toward resolutions of these issues. Requirements for development are the responsibility of the buyer.
 - Gretchen Buehner requested education efforts be made to explain to the public how SDC funds can be used. Interim Finance Director Indieke is preparing an article for the September Cityscape.

Youth Advisory Council President Williams noted the following Consent Agenda Items presented for the City Council's review:

3. CONSENT AGENDA

- 3.1 Approve Council Minutes for May 24, and June 14, 2005
- 3.2 Receive and File:
 - a. Council Calendar
 - b. Tentative Agenda
- 3.3 Authorize the Interim City Manager to Relinquish a Public Slope Easement along SW 68th Parkway.
- 3.4 Local Contract Review Board:
 - a. Approve the Purchase of Ten Police Vehicles Under State Contract

Motion by Councilor Wilson, seconded by Councilor Sherwood, to approve the Consent Agenda as presented.

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen:	Yes
Councilor Harding:	Yes
Councilor Sherwood:	Yes
Councilor Wilson:	Yes
Councilor Woodruff	Yes

4. PUBLIC HEARING (QUASI-JUDICIAL) – APPEAL OF CONDITIONAL USE PERMIT FOR THE TIGARD FIRST BAPTIST CHURCH EXPANSION

ITEM ON APPEAL: On April 25th, 2005 the Tigard Hearing's Officer held a public hearing to consider an application for conditional use approval to construct a 22,500 square foot expansion of the existing church and associated parking in three phases. As part of Phase 2, the applicant proposed to relocate the existing driveway on SW Gaarde Street. The Hearing Officer adopted findings approving the Conditional Use Permit and Sensitive Lands Reviews and denied the requested Adjustment to the access spacing standards. An appeal was filed on May 25, 2005 by the owner and applicant, on the basis that the Hearing's Officer misconstrued the applicable law. More specifically, the appellant's argue that the Hearing Officer's decision failed to balance the approval criteria.

LOCATION: 11075 SW Gaarde Street; WCTM 2S103DC, Tax Lot 1100.

ZONE: R-3.5: Low-Density Residential District.

REVIEW CRITERIA BEING APPEALED: Community Development Code Chapters 18.370 and 18.705.

- a. Mayor Dirksen opened the public hearing.
- b. Associate Planner Tracy advised the appellant requested postponement of the hearing to allow time to prepare additional arguments.
- c. Motion by Councilor Sherwood, seconded by Councilor Woodruff, to continue the quasi-judicial public hearing for the Appeal of a Conditional Use Permit for the Tigard First Baptist Church Expansion to July 26, 2005.

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen:	Yes
Councilor Harding:	Yes
Councilor Sherwood:	Yes
Councilor Wilson:	Yes
Councilor Woodruff	Yes

5. PUBLIC HEARING – SOLID WASTE RATE ADJUSTMENT

- a. Mayor Dirksen opened the public hearing.
- b. Public Works Director Koellermeier presented the staff report and explained the proposed adjustments to the solid waste rates:

1. The haulers rate of return was 7.9 percent and, the franchise agreements provide that when the annual rate of return falls below 8.5%, a range adjustment is automatically triggered.
2. Staff and haulers propose a program change to cart recycling. The new system would provide new 90-gallon roller carts for residents. All recycled materials can be deposited in the cart except for glass and motor oil. Benefits of the new cart recycling program were reviewed.
3. Staff recommends an increase in the franchise fee from 3% to 4%. The funds from this fee will be used to pay for Metro-directed programs and to offer programs to Tigard residents such as neighborhood clean ups and landscape enhancements.

Public Works Director Koellermeier reviewed information distributed to the City Council regarding the rate of garbage franchise fees charged by 60 cities in Oregon. At 4%, Tigard would be about in the middle of the range of the rates charged by these 60 cities.

A summary of the proposed solid waste rate changes follows:

1. Adjustment to solid waste rates to provide a 10% aggregate rate of return on gross revenues to be effective August 1, 2005.
2. Adjustment to recycling rates and implementation of the new cart system to be effective January 1, 2006.
3. The 4% franchise fee to be effective January 1, 2006.

c. Council discussion:

Councilor Woodruff said he supported the proposed changes. He noted the rates have not been raised since 2001. In addition, services for customers will be enhanced. He said he would like to see a future discussion on the profit margin set forth in the franchise agreement to determine whether the margin is fair.

d. Public Testimony:

- John Frewing, 7110 SW Lola Lane, Tigard, OR 97223, questioned the 90-gallon recycling cart and asked for the justification for a cart of this size. He noted the cart would be unattractive and the difficulty some customers might have with moving a cart this large.

Discussion followed. In 2001, the City Council decided that the fees charged for solid waste collection would be based on a direct cost of service. At that time, commercial rates collected were offsetting costs for residential services. With regard to the size of the recycling cart, Public Works Director Koellermeier advised that the 90-gallon cart has worked well in other communities. Smaller carts can be provided.

Councilor Wilson asked if bulky-item pick up service was addressed. Public Works Director Koellermeier said special pick-ups are available. Staff will explore whether a bulky-item drop off day(s) can be offered to residents, similar to the fall leaf drop-off program.

Councilor Harding supported offering a service for collection of bulky items. She said she also supported using some funds to help with neighborhood clean-up programs.

- Gretchen Buehner, 13249 SW 136th Place, Tigard, OR 97223, said she agreed with Mr. Frewing about concerns with a large recycling cart. She suggested the haulers be proactive and let customers know at the beginning of the program that there is an option to use a smaller cart.

- e. Public Works Director Koellermeier recommended the City Council approve the proposed resolution.

Youth Advisory Council President Williams asked how glass could be recycled. Public Works Director Koellermeier advised the plan is for people to use the smaller container now being used for recycled materials for glass. Glass will be picked up periodically (not every week).

- f. Mayor Dirksen closed the public hearing.

- g. Council Consideration:

Motion by Councilor Wilson, seconded by Councilor Sherwood, to adopt Resolution No. 05-46

RESOLUTION NO. 05-46 – A RESOLUTION ADJUSTING SOLID WASTE RATES DUE TO CHANGES IN THE SOLID WASTE INDUSTRY, IMPLEMENTING NEW RECYCLING PROGRAMS, AND ADJUSTING THE FRANCHISE FEE TO 4% OF ANNUAL GROSS REVENUES

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen:	Yes
Councilor Harding:	Yes
Councilor Sherwood:	Yes
Councilor Wilson:	Yes
Councilor Woodruff	Yes

6. CONSIDER A RESOLUTION SETTING FORTH LAND ACQUISITION GUIDELINES TO BE CONSIDERED BY COUNCIL WHEN ACQUIRING PARKS AND GREENWAY PROPERTIES

Motion by Councilor Wilson, seconded by Councilor Sherwood, to carry this agenda item forward to a future date.

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen:	Yes
Councilor Harding:	Yes
Councilor Sherwood:	Yes
Councilor Wilson:	Yes
Councilor Woodruff	Yes

7. CONSIDER A RESOLUTION TO ESTABLISH A FINANCIAL STRATEGY TASK FORCE AND APPOINT MEMBERS

- a. Interim City Manager Prosser presented the staff report for this agenda item. The citizen-based Financial Strategy Task Force will work to prepare recommendations for City Council to consider measures to improve the City's financial condition. Potential deficits are forecast within the next four to five years.

The Task Force will consist of the citizen members of the Budget Committee, members of the Committee for Citizen Involvement, a representative from the Downtown Task Force, and a representative from the Transportation Financing Strategies Task Force. The proposed resolution outlines the charge of the Task Force, which includes evaluating City program service levels, looking at ways for the City to deliver services in a more cost-efficient or cost-effective manner, and identify potential new revenue sources such as the City charging fees for service to those citizens that live outside the City boundaries. The Task Force will also review the option of asking the Tigard voters to approve a Local Option Tax Levy. It is expected that the Task will report back to the City Council by December 31, 2005.

In response to a question from Councilor Woodruff, Interim City Manager Prosser advised that it is anticipated the Task Force will

have one or two meetings. There will be public notices for these meetings. Comments may also be forwarded directly to Interim Finance Director Imdieke.

- b. Council members supported the formation of this Task Force in order to look at the overall financial situation of the City and to solicit ideas from the public. Councilor Woodruff suggested an article be placed in the September Cityscape to inform the City residents about the Task Force and solicit comments.

Mayor Dirksen noted that the course the city is on is not sustainable – the City will have to do something different and what's to be done must be based on what citizens suggest.

- c. Motion by Councilor Woodruff, seconded by Councilor Harding. to adopt Resolution No. 05-45.

A member of the audience – Roger Potthoff, 11710 SW Ann Street, Tigard, OR asked if the proposed resolution provides for staff time to assist the Task Force. Interim City Manager Prosser responded that the Finance staff will be involved. In addition, it's possible that a student intern could assist. Councilor Wilson added he would hope the Task Force is provided with adequate research resources – technical and legal.

RESOLUTION NO. 05-48 – A RESOLUTION TO ESTABLISH THE FINANCIAL STRATEGY TASK FORCE AND APPOINT MEMBERS TO THE TASK FORCE

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen:	Yes
Councilor Harding:	Yes
Councilor Sherwood:	Yes
Councilor Wilson:	Yes
Councilor Woodruff	Yes

8. DISCUSSION OF BRANDING/GRAPHIC IDENTITY

- a. Assistant to the City Manager Newton introduced this agenda item.
- b. Consultant Marcusen and City Council reviewed an audit of existing print materials and the signage and identities of other cities. A PowerPoint presentation was utilized during the discussion; a copy is on file in the City Recorder's office. The presentation illustrated logos

and seals used by other cities. During the review, Mr. Marcusen pointed out some of the common elements of the designs.

In response to Councilor Woodruff, who noted that the Council was looking for something more significant than a logo, Mr. Marcusen agreed that branding is more of an identity or an embodiment of a City's personality. He referred to building equity in the City's symbol.

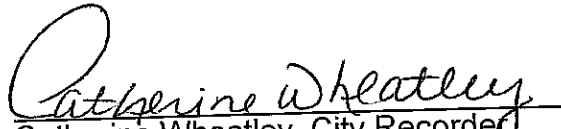
Following are some of the comments during the discussion as City Council and Mr. Marcusen worked through ideas:

- Traditional seals – many of those cities are older (150 years) whereas Tigard was incorporated in 1961.
- Intrigued by the skill of developers for their creative names and logos, which create an image and a sense of place.
- Don't try to put too much, however, into the logo. Convey an image. The image could be "aspirational."
- The logo could represent a concept or a symbol. People bring meaning to it with the rationale behind it.
- Simplicity is being assaulted; looking for "fresh air." Many of the symbols in the logos are fairly fussy.
- Assess what is germane to Tigard: "This is what Tigard is for us."
- Don't make a past that wasn't there; or, a history can sometime be created and this can be effective.
- Clean type faces.
- Keep logo simple; develop a more detailed watermark.
- Reviewed the brainstorming ideas developed by the Vision Task Force.
- Ideas: appreciation of nature, motion (transit, commerce), energetic lifestyle, family friendly, Fanno Creek (plans to focus on this more in the future), destination, a place to rest, home, sense of community. Again, a place to call home, as opposed to a geographic place.
- Mr. Marcusen noted the above ideas are good inspirations for design (community, family friendly), but suggested the conveyance might lead to complexity. Mayor Dirksen suggested use of a tag line; i.e., family friendly, or a place to guideline. The statement could also be used as a guideline for decision making.
- Remember inclusiveness when defining "family."
- Maintain an open mind as this collaboration moves forward to develop symbols. Sometimes photographic images can support and reinforce an identity.
- Discussed how to say family friendly without literally saying. For example, the logo for Spain looks as if a child drew it – "approachable."

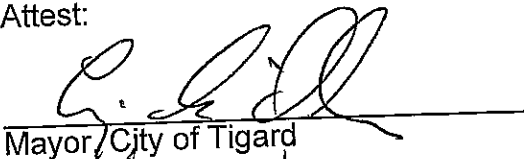
- There are all types of family structures, but Tigard is home. "Home images" – developers are good at doing this.
- Trails...this is the way home.
- Mr. Marcusen advised that at the next meeting he will bring in more symbols for the City Council to view including some international design examples. He noted many are multi-colored, which would be expensive to reproduce.
- Urban village – architecture in a stylized form.
- Downtown efforts: preserve and recapture style of older brick buildings, 1890's to 1920's. There has been no discussion yet on design standards for Downtown.
- Ties with the school system, a sense of community, Family Day, a strong sense of family, community values.
- A differentiator for Tigard might be creeks. Values might be difficult to transfer to a symbol, but could use a tag line or develop a motto.
- Tigard's current logo is the only one that is triangular.
- Many things cumulatively support the vision of the City – the symbol sets the tone.

Mr. Marcusen will review the ideas discussed tonight. The Council will continue its review on this matter at its July 19, 2005, workshop meeting.

9. COUNCIL LIAISON REPORTS: None
10. NON AGENDA ITEMS: None
11. EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 6:30 p.m. to evaluate the employment-related performance of the chief executive officer under ORS 192.660(2)(i).
12. ADJOURNMENT: 10:10 p.m.


Catherine Wheatley, City Recorder

Attest:


Mayor/City of Tigard

Date: August 9, 2005
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